UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/260
10 March 1999

ORIGINAL: ENGLISH

LETTER DATED 10 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you a statement by the Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia, issued on 10 March 1999, entitled "Ethiopia was, is and will always be loyal to the Organization of African Unity Framework Agreement".

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Duri MOHAMMED
Ambassador
Permanent Representative

99-06628 (E) 100399

/...

Annex

Statement issued on 10 March 1999 by the Ministry of Foreign Affairs of Ethiopia entitled "Ethiopia was, is and will always be loyal to the Organization of African Unity Framework Agreement"

Consistency and being true to principles and absolute commitment to the peaceful resolution of the conflict have been the hallmark of Ethiopia's position since the Eritrean aggression on our country in May 1998.

Since the Organization of African Unity (OAU) facilitation commenced in June 1998, and the setting up of the High-level Delegation, Ethiopia has dealt with OAU in a forthright manner and with all due respect accorded to the Organization, to the High-level Delegation and to its individual members.

When the High-level Delegation finally put on the table its peace proposal, Ethiopia, through its Prime Minister, immediately accepted the Framework Agreement ad referendum after the clarifications it requested were given to its satisfaction at the summit in Ouagadougou. Its formal acceptance of the Framework was communicated subsequently through a message by Prime Minister Meles dated 12 November 1998, addressed to the current Chairman with copies to the other heads of State of the Delegation and to the Secretary-General of the Organization of African Unity.

In the communication of 12 November 1998 referred to above, Prime Minister Meles said, inter alia, reiterating the clarification given to him at the Ouagadougou summit, "It is ... to be noted that the High-level Delegation underscored in its clarification that, with regard to article 3, the Eritrean forces are to withdraw from all Ethiopian border territories that they have occupied since 6 May 1998."

Accordingly, as underlined in no uncertain terms by its Prime Minister, the demand that Eritrea must withdraw from all occupied Ethiopian territories for peace to be achieved between Ethiopia and Eritrea has been a firm Ethiopian position and a fundamental and irreducible minimum condition and not, as alleged by Eritrea, a new element injected by Ethiopia at the eleventh hour. It would have been unthinkable for Ethiopia to do otherwise, because that would have amounted to rewarding aggression; and not rewarding aggression has from the outset been the mainstay of the Ethiopian position on countering the madness in Eritrea. Fortunately, this has also been the conviction of the High-level Delegation. In this regard, it must sound rather strange to expect Ethiopia to change its position now, after Badme, and what the battle of Badme symbolizes cannot be lost on Eritrea. Forceful occupation is forceful occupation. It would be absurd - although anything can be expected from Asmara - and makes no sense logically and in terms of international law for an aggressor to be asked to withdraw only from a portion of part of a sovereign State it had seized by force. In any case, all this is partly a moot question because Eritrea did not withdraw from the Badme region in compliance with the OAU peace plan, but under duress when its army was routed in humiliation.

Ethiopia accepted the Framework Agreement not because all its elements were to its liking, but because it was a comprehensive package which, as the Security Council affirmed later, was "fair and balanced" and because it did not reward aggression and it did not ask for the humiliation of Ethiopia as Eritrea had wanted.

Ethiopia's acceptance of the Framework Agreement was thus not tactical, but principled. Ethiopia embraced the Framework, not because the imperative of tactical manoeuvre dictated acceptance by Ethiopia, but because Ethiopia's commitment to peace made it an imperative necessity. All the more so because the Framework, to reiterate, did not reward aggression. The Framework Agreement which some later wanted to tinker with, as the Security Council tried to do at its informal meeting of 10 February 1999, is the expression of OAU's commitment to principles of international law and to its resolute objection to and abhorrence of the philosophy that might is right.

Since the Eritrean debacle in Badme region, which was liberated by Ethiopia with great sacrifice, Eritrea has suddenly become ostensibly a new convert in embracing the Framework Agreement. Within less than 24 hours after its occupation forces were routed from Badme, Eritrea informed the Security Council on 27 February 1999 through a convoluted letter from its President, which is full of loopholes and resembling a war communiqué, about its acceptance of the peace plan. No sooner had the letter written by its President containing this message, in which Eritrea's acceptance of the peace plan was thrown in as an afterthought, reached the Security Council than an emergency meeting of the Council was convened on a weekend to celebrate this "historic acceptance" of the peace plan by Eritrea.

What was of immense surprise to Ethiopia was not Eritrea's acceptance - which as subsequent events have shown was tactical and insincere - but the eagerness and enthusiasm demonstrated by some members of the Security Council to give legitimacy to Eritrea's attempt to use the Framework Agreement as a smokescreen for buying time.

There is now absolutely no doubt that what Eritrea wanted to do by accepting the OAU plan at the eleventh hour was to gain respite for further military preparation. This has been made clear by its various officials, including by its Foreign Minister, as well as by developments on the ground. The speeded-up tempo with which fortifications are being built and reinforced in still occupied Ethiopian territories and the rounding up of new recruits for yet another battle are all indications that contradict Eritrea's professed intentions. Moreover, the Eritrean authorities are yet to inform their citizens formally of their acceptance of the Framework Agreement. What the Eritrean people are told officially is about a so-called voluntary tactical withdrawal in preparation for another offensive.

In the meantime, Eritrea in its public relations exercise has become more Catholic than the Bishop about its commitment to the OAU peace plan - a plan which it had scoffed at as late as six days prior to the battle of Badme, telling the European Union Troika that it was an unsatisfactory formula prepared by a fickle Organization. The conversion, if it was genuine, would still be

good enough, regardless of the Eritrean attitude towards OAU. But the conversion is fake.

Under these circumstances, it will be folly for Ethiopia to allow Eritrea to gain time for yet another aggression. The yardstick for Eritrea's genuine acceptance of the Framework Agreement is its immediate and unconditional withdrawal from the remaining occupied Ethiopian territory and the return of the status quo ante in full, in line with the letter and spirit of the OAU peace plan.

Furthermore, in the light of the huge loss of lives, the humanitarian crisis and the destruction of property caused by the Eritrean aggression, Ethiopia will insist, as it already has done in a letter from its Prime Minister to the President of the Security Council on 8 March 1999, that Eritrea bear full responsibility for all these damages. This is the road to peace and to the successful implementation of the Framework Agreement.

Ethiopia pays homage to OAU for having stood up for principles at a time when so few were seen practising what they preach and at a time when those entrusted with the responsibility for international peace and security have been so eager to reward aggression. Eritrea still counts, even after Badme, that its aggression may be rewarded. If Ethiopia had not allowed this prior to Badme, it would be madness to expect that it would do this after Badme and after so many patriots died liberating part of their land from the aggressors.